

November 3, 2008-Open Meeting Minutes

All members present

SELECTMEN'S MEETING
Monday, November 3, 2008 7 p.m.
H. BERNARD MONAHAN MEMORIAL ROOM
TOWN HALL, 242 UNION STREET
ROCKLAND, MASSACHUSETTS

1. **BOS Meeting 7pm** PLEDGE OF ALLEGIANCE
Moment of Silence for- Katherine Mc William
13. Taken Out of Order
Evan Whitemyer- Ten Summits
Presentation of citation by BOS to 10 year old Evan in recognition of fundraising efforts by hiking 10 Summits over 4000 feet
2. **Executive Session** Minutes-October 20, 2008
Motion to approve by Mr. Chaffee, 2nd by Ms. O'Brien, passed 5-0
3. **Open Session** Minutes- June 16, 2008
Motion to approve by Mr. Chaffee, 2nd by Mr. Zupkofska, passed 5-0
4. **Open Session** Minutes- July 7, 2008
Motion to approve by Mr. Zupkofska, 2nd by Ms. O'Brien, passed 5-0
5. **Open Session** Minutes- September 2, 2008
Motion to approve by Mr. Chaffee, 2nd by Mr. Johnson, passed 5-0
6. Open Session Minutes- October 6, 2008 previously Tabled 10/20/08
Minutes tabled for Mr. Zupkofska. Mr. Zupkofska wishes Mr. Chiocca to review DVD of meeting.
7. Open Session Minutes- October 20, 2008
Motion to approve by Mr. Zupkofska, 2nd by Mr. Chaffee, passed 5-0
8. Open Session Minutes- April 17, 2007 (Simpson, Chaffee and Zupkofska)

Minutes tabled for Mr. Zupkofska

9. Open Session Minutes- May 21, 2007 (Simpson, Chaffee and Zupkofska)
Motion to approve by Mr. Zupkofska, 2nd by Mr. Chaffee, passed 3-0
10. Open Session Minutes- June 4, 2007 (Simpson, Chaffee and Zupkofska)
Motion to approve by Mr. Zupkofska, 2nd by Mr. Chaffee, passed 3-0
11. Open Session Minutes- June 18, 2007 (Simpson, Chaffee and Zupkofska)
Motion to approve by Mr. Zupkofska, 2nd by Mr. Chaffee, passed 3-0
12. Open Session Minutes- July 30, 2007 (Simpson, Chaffee and Zupkofska)
Motion to approve by Mr. Chaffee, 2nd by Mr Zupkofska, passed 3-0

UNFINISHED BUSINESS

13. Previously taken out of Order see beginning of minutes

NEW BUSINESS

14. **Public Records Policy- Minutes**
Mary Parsons made a presentation. Policy proposed by Mr. Chiocca

Town of Rockland Minutes Policy Adopted 11/3/08

1. Minutes should be kept in compliance with Massachusetts General Laws, Chapter 66 Section 5A.

**PART I. ADMINISTRATION OF THE GOVERNMENT
TITLE X. PUBLIC RECORDS**

CHAPTER 66. PUBLIC RECORDS

Chapter 66: Section 5A. Records of meetings of boards and commissions; contents

Section 5A. The records, required to be kept by sections eleven A of chapter thirty A, nine F of chapter thirty-four and twenty-three B of chapter thirty-nine, shall report the names of all members of such boards and commissions present, the subjects acted upon, and shall record exactly the votes and other official actions taken by such boards and commissions; but unless otherwise required by the governor in the case of state boards, commissions and districts, or by the county commissioners in the case of county boards and commissions, or the governing body thereof in the case of a district, or by ordinance or by-law of the city or town, in the case of municipal boards, such records need not include a verbatim record of discussions at such meetings.

2. Copies of approved printed Open Meeting Minutes will be maintained at the Office of the Town Administrator, and the Rockland Public Library. Minutes will be printed on “Acid-Free” paper.
3. A complete copy of the contents of the Meeting Binder provided to each Board member will be stored at the Office of the Town Administrator with agenda attached.
4. Board of Selectmen Meetings should be recorded by WRPS on DVDs and a copy of the meeting DVDs should be stored at three 3 locations the WPRS studio, Rockland Public Library, and the Town Administrator Office. DVDs shall be stored in archival quality binders. The DVD of each meeting will be the complete public record of Board of Selectmen’s open meetings. The public may purchase copies of from WPRS.

Allan R. Chiocca
Town Administrator

Larry Chaffee, Vice Chairman
Board of Selectmen

- Motion** to accept Public Records Policy as presented by Mr. Chiocca made by Mr. Chaffee, 2nd by Mr. Zupkofska, passed 5-0.
15. **Fire Chief Retirement** -BOS received a letter from Fire Chief Sammon notifying the BOS he would be retiring effective January 3, 2009 and his actual last working day would be Nov. 21, 2008 .
-Announcement of the Toys for Tots program by Tom Henderson
-Annual Coat Drive Announcement
 16. **Appointments and Reappointments, Committee Vacancies**
Motion by Mr. Chaffee, 2nd by Mr. Zupkofska to appoint John Lucas, 136 Greenwood Street to the Auxiliary Planning Board Member Position. Passed 5-0
 17. **Officer Somers K-9 Report-** Presentation and discussion of the two K-9s and upcoming K-9 fundraiser at the Eagles
 18. **Boston Globe Article-** Discussion by Chief Llewellyn of article regarding leak on Rocklandnews.com of “Sobriety Checkpoint” prior to event.
 19. **Lisa Flaherty-Esten School PAC-** report of successful fundraiser for the elementary schools and other fundraising efforts. Also thanked Bob Corvi and Highway Dept. for support provided schools.
 20. **99 Restaurant-Change in Hours of Operation**
Motion by Mr. Johnson 2nd by Mr. Zupkofska to authorize change in operating hours at the 99 to open at 11 a.m. everyday and close at 11:30p.m. Monday,

Tuesday Wednesday, close at 12:30 a.m. Thursday, Friday, Saturday, and 10:30 p.m. on Sundays. Passed 5-0.

21. **Selectmen's Meeting Rules-Discussion of Open Forum**

22. **TABLED-South Shore Package Store- Liquor License Transfer**

23. **License Renewals**

COMMON VICTUALLER

1. Butterfield's Restaurant – 372 Market Street
2. South Shore Racquet & Fitness – 406 VFW Drive
3. Bella's Restaurant – 933 Hingham Street
4. Harmon Golf Club – 168 Concord Street*
5. 99 Restaurant – 2 Accord Park
6. Oriental Express – 8 West Water Street
7. 999 Triple Nine Thai Restaurant – 100 Market Street
8. Fortune Star – 434 Union Street
9. MaryLou's Coffee – 200 Webster Street
10. Brown Bag Deli – 115 Weymouth Street
11. Honey Dew Donuts – 482 Market Street
12. Yanni's Pizza – 930 Hingham Street
13. Trueman's Catering – 440 Union Street
14. Burger King – 1333 Hingham Street
15. Burger King – 157 Market Street
16. Tonia's Deli – 246 East Water Street
17. Gametime Sports Bar & Grill – 365 Centre Avenue
18. Rokie's Bar & Grille – 363 Union Street

Motion to approve all by Mr. Zupkofska, 2nd by Mr. Chaffee, passed 5-0 with the exception of the Harmon Golf Course 4-0-1(Simpson).

CLASS I LICENSE

1. F & S Trailer Sales, Inc. – 276 Weymouth Street

Motion to approve by Mr. Chaffee, 2nd by Mr. Zupkofska, passed 5-0

LODGING LICENSE

1. Triangle Residential Services – 167 West Water Street

Motion to approve by Mr. Chaffee, 2nd by Ms. O'Brien, passed 5-0.

THRIFT/CONSIGNMENT LICENSE

1. Rose's Thrift Shop – 145 Union Street
Motion to approve by Mr. Chaffee, 2nd by Mr. Zupkofska, passed 5-0

TAXI CAB/LIVERY LICENSE

1. Robbins Livery – 115 Hartsuff Street
Motion to approve by Mr. Zupkofska, 2nd by Mr. Johnson, passed 5-0

AUTOMATIC AMUSEMENT LICENSES

1. Old Colony VFW – 22 Church Street
2. Gametime Sports Bar & Grill – 365 Centre Avenue
3. Rokie's Bar & Grille – 363 Union Street
Motion to approve all by Mr. Zupkofska, 2nd by Mr. Chaffee, passed 5-0.

ENTERTAINMENT LICENSES

1. 99 Restaurant – 2 Accord Park
2. Old Colony VFW – 22 Church Street
3. Gametime Sports Bar & Grill – 365 Centre Avenue
4. Butterfield's Restaurant – 372 Market Street
Motion to approve all by Mr. Zupkofska, 2nd by Ms. O'Brien, passed 5-0.

ALL ALCOHOL – PACKAGE STORE (Reminder alcohol licenses require two signatures)

1. Station Liquors – 21 East Water Street
Motion to approve all by Mr. Zupkofska, 2nd by Ms. O'Brien, passed 5-0.

ALL ALCOHOL – CLUB (Reminder alcohol licenses require two signatures)

1. Harmon Golf & Fitness – 168 Concord Street
2. Old Colony VFW – 22 Church Street
Motion to approve by Mr. Zupkofska, 2nd by Mr. Chaffee, passed 5-0 with the exception of the Harmon Golf Course 4-0-1(Simpson).

ALL ALCOHOL – COMMERCIAL CLUB (Reminder alcohol licenses require two signatures)

1. South Shore Racquet & Fitness – 406 VFW Drive
Motion to approve all by Mr. Zupkofska, 2nd by Mr. Chaffee, passed 4-0-1(Simpson)

ALL ALCOHOL – COMMON VICTUALLER (Reminder alcohol licenses require two signatures)

1. Gametime Sports Bar & Grill – 365 Centre Avenue

2. Rokie's Bar & Grille – 363 Union Street
Motion to approve by Mr. Chaffee, 2nd by Mr. Zupkofska, passed 5-0

24. **Studley Pond Update**

Report on correspondence from the state regarding Rockland's failure to repair the Studley Pond Dam. Mr. Chiocca has requested a one year extension.

Announcement promoting the Annual Coat Drive while waiting for Energy Committee

25. **Energy Committee Report**

Presentation by Carol Perelli- request to sign two Energy grant applications

Motion by Mr. Zupkofska 2nd by Mr. Johnson to sign attachment "A" passed 5-0

Motion by Mr. Zupkofska 2nd by Mr. Caffee to sign attachment "C" passed 5-0

Ms. Perelli requested BOS authorize a member to sign on behalf of the town a contract for the Town of Rockland electrical accounts. The Town must choose when to execute the contracts, with which supplier, and for how long.

Motion by Mr. Zupkofska 2nd by Mr. Johnson to authorize Mr. Simpson to sign after monitoring options. Passed 5-0

26. No item

27. **Finance Committee Presentation**

Mr. Minahan Chairman of the Finance Committee made a power point presentation outlining three budgets scenarios, a level funded budget, a level services budget, and a restoration budget.

Town Administrator's Report

28. MMA report on Labor Negotiations conference and delivery of MMA publications to BOS and town officials.
- Legislation validating Town Meeting has received a favorable in committee is advancing to the House.
 - Reminder BOS Tour of the Middle School Thursday at 6:30pm
 - Reported disqualification of Assessor Jillene Smith to sign any DLS documents
 - Reported Assesor Dennis Robson has met his requirements and is now qualified to classify property pursuant to M.G.L. Ch. 59 secs. 2A & 38.
 - The Building Dept. has received a payment of \$156,644.00 for Building Permit at 51 and 23 Maple Street (Copley Building).
 - ABCC Reported to the BOS Mary Stewart and Mr. Chiocca attended annual seminar with ABCC to provide updates to Licensing authorities.

CORRESPONDENCE

29. -Fire Department annual Toys for Tots flyer
 -Boy Scouts and Cub ScoutsCoat Drive update
 -Veteran's Day Parade reminder
 - Request by Union Street Vendors to open early to serve public attending parade
 Motion to approve by Mr. Chaffee 2nd by Mr. Johnson, passed 5-0.
 - Meat raffle to benefit Rockland's South Shore Skating Club

F. SELECTMAN'S COMMENTS

G. OPEN FORUM

H. EXECUTIVE SESSION

30. Motion by Mr. Chaffee 2nd by Mr. Johnson to go into executive session for pending litigation. Roll Call vote 5-0

Allan R. Chiocca
Town Administrator

Lawrence Chaffee, Vice Chairman
Board of Selectmen

Note: Open Meetings are recorded by local cable WRPS